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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/357,593	07/20/1999	NEIL Y. IWAMOTO	36J.P227	9444

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NEW YORK, NY 10112

EXAMINER
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RAHIMI, IRAJ A

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 12/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/357,593

Applicant(s)

IWAMOTO ET AL.

Examiner

(Iraj) Alan Rahimi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on October 20, 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 September 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Response to Amendment***

1. In papers filed on October 20, 2003 applicant amended claims 1-6, 8, 10-15 and added new claims 16-29.

### ***Response to Arguments***

2. Applicant's arguments filed on October 23, 2003 have been fully considered but they are not persuasive. Applicant argues that Ogasawara does not disclose or suggest generating print data in a client application residing on a data network. As dually noted, Ogasawara discloses shopping over Internet. As such, when a user connects to a web site for shopping he is interfacing with the application provided by the web site for completing a transaction. These applications are well known to have a function for printing receipts as a hard copy record of the transaction. When such command is issued in the web site specific application, print data is generated. Therefore it is obvious in Ogasawara as well as many Internet shopping web sites that print data can be generated for purpose of transaction record. Ogasawara discloses web server/application program 72 in communication with the cable provider 20 connected to a interface device 10 (an interface device), which is connected to a printer. Therefore it is obvious that print data generated from application program in the web site can flow down the communication links to the printer. Applicant additionally argues that Marino is not seen to determine whether a secure communication exists between a client application and an interface device for use in transmitting print data from the client application. As Marino states in column 5, lines 62-67 and continuing in column 6 lines 7-50, that query task 60 determines whether secure link is available for exchanging data with the destination. And when no secure link is

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available, unsecured link must be used and the services of security kernel. By definition data is not transmitted over unsecured lines and done so when secure communication is established, whether that is through secure link 30 or the security kernel. Marino does not discriminate over the type of data being transmitted; hence any type of data including print data can be used to transmit over secure communication lines.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3, 5-7 and 13-15-22, 24 and 26-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogasawara (US patent 6,543,052) in view of Marino, Jr. et al. (US patent 5,530,758).

Regarding claim 1, Ogasawara discloses a method for the secure printing of print data from a client application residing on a data network to an interface device 10 which has a printer, said interface device residing on a digital cable network which has a cable head end 20 for interfacing said digital cable network to said data network, said method comprising the steps of:

generating print data in said client application (column 3, lines 14-23, Ogasawara also teaches in column 2, lines 41-45 that interface device has an external interface such as a printer so data generated by application can be printed);

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transmitting, in response to a determination that said secure communication path exists, said print data from said client application to said interface device (column 5, lines 53-65); and

sending said print data from said interface device to said printer for printing (column 3, lines 66-67 and column 4, lines 1-3).

However, Ogasawara does not disclose determining whether a secure communication path exists between said client applications and said interface device. Marino, Jr. et al. discloses in column 5, lines 62-67 that determination is made that secure communication path exists between application and network processor. Ogasawara and Marino are analogous art because they are from the same field of endeavor that is communication over Internet. Therefore, it would have been obvious to a person skilled in the art, at the time of invention to use secure communication path of Marino with Ogasawara's invention to avoid security violations (e.g. releasing confidential or classified information).

Regarding claim 3, Marino discloses a method according to claim 2, wherein the step for determining whether said secure communication path exists between said client application and said interface device further includes a confirmation through said secure protocol, that said cable head end is a secure location, and a confirmation, through said secure protocol, that said interface device is a secure location (column 6, lines 7-50. Figure 11 shows verification of security levels between various locations.

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Regarding claim 5, Ogasawara does not disclose a method according to Claim 1, wherein the step for transmitting said print data from said client application to said interface device includes said print data, sending said print data from said client application to said cable head end, sending said print data from said cable head end to said interface device, said print data, and sending the print data to said printer for printing (column 3, lines 43-55 and column 4, lines 53-67). However, Marino teaches in column 3, lines 25-27 and column 7, lines 23-31 determines whether a secure link is available for exchanging data with the destination entity before transmitting document. . Ogasawara and Marino are analogous art because they are from the same field of endeavor that is communication over Internet. Therefore, it would have been obvious to a person skilled in the art, at the time of invention to use secure communication path of Marino with Ogasawara's invention to avoid security violations (e.g. releasing confidential or classified information).

Regarding claim 6, 7 and 24 arguments analogous to those presented for claim 3, are applicable.

Regarding claim 13, Ogasawara discloses an apparatus for the secure printing of print data from a client application residing on a data network to an interface device which has a printer, said interface device residing on a digital cable network which has a cable head end for interfacing said digital cable network to said data network, comprising:

a program memory (local storage 74) for storing process steps executable to perform a method according to any of claims 1 to 12; and

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a processor (Web server 72) for executing the process steps stored in said program memory.

Regarding claim 14, 15 and 22, arguments analogous to those presented for claim 1, are applicable.

Regarding claim 16, Ogasawara discloses a method according to claim 1, wherein said interface device is a set top box 10 (Fig. 1).

Regarding claims 17-21 arguments analogous to those presented for claim 16, are applicable.

Regarding claim 26, Ogasawara discloses an apparatus for the secure printing of print data on a network, comprising:

a program memory (local storage 74) for storing process steps executable to perform a method according to claim 22; and

a processor 76 for executing the process steps stored in said program memory.

Regarding claims 27 and 28, arguments analogous to those presented for claim 22, are applicable.

Regarding claim 29, Ogasawara does not disclose a method according to claim 22, wherein the step for rendering print data includes rasterizing the print data by using a printer driver corresponding to said printer. However, it is well known in the art that a printer needs a printer driver to rasterize print data for printing (e.g. Windows 95 or 98 allow selection of a printer driver associated with a printer to process print data).

5. Claims 2, 4, 8- 12, 23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogasawara (US patent 6,543,052) in view of Marino, Jr. et al. (US patent 5,530,758) and further in view of Smith et al. (US patent 6,385,655).

Regarding claim 2, Ogasawara does not disclose according to Claim 1, wherein the step for determining whether a secure communication path exists between said client application and said interface device includes the use of a secure protocol between said client application

and said cable head end, and between said cable head end and said interface device. Smith et al. discloses in column 6, lines 52-56 a low level secure communication protocol such Secure Socket Layer for specifying secure communication. Ogasawara and Smith are analogous art because they are from the same field of endeavor that is document delivery of an electronic network. Therefore, it would have been obvious to a person skilled in the art, at the time of invention to use Secure Socket Layer as secure protocol to establish secure communication.

Regarding claim 4, Ogasawara does not disclose a method according to Claim 1, wherein the step for transmitting said print data from said client application to said interface device includes sending said print data from said client application to said cable head end in a

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device-independent format, transforming said print data from said device-independent format to a rasterized format which corresponds to said printer, and then sending said print data in said rasterized format from said cable head end to said interface device for printing on said printer (column 4, lines 53-66). Smith et al. teaches using certificate authentication for determining a secure communication (column 20, lines 41-49) and device (platform) independent formatted document such as HTML and PDF (column 4, lines 65-67 and column 5, lines 1-11). Shaffer and Smith et al. are analogous art because they are from the same field of endeavor that is data communication in a network environment. Therefore, it would have been obvious to a person skilled in the art, at the time of invention to combine data security features of Smith et al. with communication arrangement of Ogasawara to provide a method for securely delivering documents over an electronic network, such as Internet.

Regarding claim 8, arguments analogous to those presented for claim 4, are applicable.

Regarding claims 9 and 23, arguments analogous to those presented for claim 2, are applicable.

Regarding claim 10, Smith discloses a method according to Claim 2, wherein the step for determining whether said secure communication path exists between said client application and said interface device includes the transmission of at least one

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certificate from said interface device to said cable head end and the transmission of at least one certificate from said cable head end to said client application (column 20, lines 41-49).

Regarding claim 11, arguments analogous to those presented for claims 1 and 4, are applicable.

Regarding claim 12, arguments analogous to those presented for claim 1, 4 and 5, are applicable.

Regarding claim 25, arguments analogous to those presented for claim 10, are applicable.

***Other prior art cited***

6. Davis et al.(US patent 6,367,009) discloses secure communication connection.

***Conclusion***

7. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


***Contact Information***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to (Iraj) Alan Rahimi whose telephone number is 703-306-3473. The examiner can normally be reached on Mon.-Fri. 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles can be reached on 703-305-4712. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3800.

  
Alan Rahimi  
November 21, 2003

  
EDWARD COLES  
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